IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

SUIT NO.1137 OF 1987

Kamal Adam Shaikh and others ..Plaintiffs.

Vs.

Govind Ragho Khairnar and others ..Defendants.

....

None present for the parties.

CORAM: **DR. D.Y. CHANDRACHUD, J.**

11th December, 2007.

P.C. :

On 24th October, 2007 the Court had directed the issuance of fresh notice to the Plaintiffs, returnable on 27th November, 2007 calling upon them to inform the Court as to whether they desire to prosecute the suit by making alternate arrangements since it appeared that the advocate who had entered appearance was no longer in practice. The Court observed that if the Plaintiffs fail to do so this Court would proceed to pass appropriate orders including dismissal of the suit on the adjourned date. The office has put up a report stating that Plaintiffs, 1, 2 and 4 have been duly served whereas notice to Plaintiffs 3 and 5 was returned with the remark that the addressee does not stay at the

given address. It would appear from the report that no steps have been taken by the Plaintiffs for prosecuting the suit. There is no other address on which Plaintiffs 3 and 5 can be attempted to be served. In the circumstances, the Court is constrained to dismissed the suit for want of prosecution.